

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KAREN WALD,

Plaintiff,

**NOTICE OF REMOVAL**

-against-

Case No. 17 cv 3560

THE DEPARTMENT OF EDUCATION OF THE CITY  
OF NEW YORK, and THE CITY SCHOOL DISTRICT  
OF THE BAORD OF EDUCATION OF THE CITY OF  
NEW YORK,

Defendants.  
----- X

**TO: THE UNITED STATES DISTRICT COURT,  
EASTERN DISTRICT OF NEW YORK**

Defendant Board of Education of the City School District of the City of New York (“BOE”)(also known as and sued herein as the “The Department of Education of the City of New York”), by and through its attorney, Zachary W. Carter, Corporation Counsel of the City of New York, respectfully moves this Court as follows:

1. On or about May 26, 2017, Defendant BOE received a Summons and Complaint by personal service on the Office of the Corporation Counsel, filed in the Supreme Court of the State of New York, County of Kings, under Index No. 510414/2017, naming the BOE as the Defendant therein, and setting forth the claims for relief upon which the action is based.

2. A copy of Plaintiff’s Summons and Complaint is annexed hereto as Exhibit “A.”

3. Plaintiff brings this action alleging, inter alia, that Defendant discriminated and retaliated against her in violation of the Americans With Disabilities Act (“ADA”), 42 U.S.C. §§ 12101, et seq. See Exhibit “A.”

4. The above-captioned action is a civil action of which the District Court has original jurisdiction pursuant to 28 U.S.C. § 1331, in that it alleges claims which arise under the laws of the United States. This action is therefore removable to the District Court without regard to the citizenship or residence of the parties, pursuant to 28 U.S.C. §§ 1441 and 1443.

5. This Notice of Removal is timely because it is being filed within thirty (30) days of Defendant's receipt of the Summons and Complaint. See 28 U.S.C. § 1446 (b).

6. Defendant will promptly file a copy of this Notice of Removal with the Clerk of the State Court in which the action is pending.

**WHEREFORE**, defendant respectfully requests that the above-captioned action be removed from the Supreme Court of the State of New York, County of Kings, to the United States District Court for the Eastern District of New York.

Dated: New York, New York  
June 13, 2017

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of the City of New York  
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By: /s/  
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Assistant Corporation Counsel

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Docket No. <u>17cv3560</u>
UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK
KAREN WALD,  Plaintiff,  -against-  THE DEPARTMENT OF EDUCATION OF THE CITY OF NEW YORK, and THE CITY SCHOOL DISTRICT OF THE BAORD OF EDUCATION OF THE CITY OF NEW YORK,  Defendants.
<b>NOTICE OF REMOVAL</b>
<b><i>ZACHARY W. CARTER</i></b> <i>Corporation Counsel of the City of New York</i> <i>Attorney for Defendant</i> <i>100 Church Street, Rm. 2-185</i> <i>New York, N.Y. 10007</i>  <i>Of Counsel: Scott C. Silverman</i> <i>Tel: (212) 356-2450</i> <i>Matter No.: 2017-026672</i>
<i>Due and timely service is hereby admitted.</i>  <i>New York, N.Y....., 2017</i>  <i>..... Esq.</i>  <i>Attorney for.....</i>